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June 10, 2010

Secretary
Pennsylvania Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

PA.P.U.C.
SECRETARY'S BUREAU

**RE: Constantine Daskalakis v. Verizon Pennsylvania Inc; Docket No. C-2010-2172222
Response to Verizon's Preliminary Objections and Answer**

Dear Secretary of the PA PUC:

The following is in response to Verizon's Answer and New Matter, dated May 25, 2010.

In point #4 of the Answer, Verizon admits that:

(i) A repair appointment scheduled for the afternoon of April 15, 2010, did not take place because "the technician assigned to this job was not able to complete her prior assignment in time". This is an admission of responsibility on the part of Verizon.

(ii) A repair appointment scheduled for the morning of May 14, 2010, did not take place because the technician did not arrive until after the designated time. This is no different than (i) above. Verizon personnel scheduled an appointment that was not kept. The fact that there is no "guarantee" is immaterial. There is a reasonable expectation that appointments will be kept. Occasional misses are understandable. Systematic patterns of missed appointments indicate disregard of the carrier's responsibilities.

With respect to the New Matter:

Prior cases notwithstanding (e.g., MilleniaNetCorporation v. Verizon Pennsylvania Inc.), Verizon has already implicitly accepted the subject matter jurisdiction of the Commission in this particular case. This follows from the fact that Verizon representatives made repeated telephone contacts with me in attempts to resolve the pending complaint and have me withdraw it. In addition to representatives following up on rescheduled and missed repair appointments (Dan and Jody), a Verizon representative (Ms. Donna McTague) called me on May 13, 2010, and left a voice message referring to the pending complaint and its possible resolution. I then called Ms. McTague on May 14, 2010, just after the second missed repair appointment. Ms. McTague again referred to the pending matter in front of the PUC and discussed possible ways that it might be resolved. When I explained that there had been yet another missed repair appointment she could offer no other course of action beyond another rescheduling.

Objections regarding jurisdiction should be raised in a timely and appropriate manner. Verizon's actions indicate that it had already accepted the Commission's jurisdiction in this case. Therefore, I respectfully request that the Commission reject Verizon's New Matter submission and proceed with adjudication of the substance of the complaint.

Respectfully,



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cc Susan D. Paiva

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